

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Jerusalem K. Monday

v.

Civil No. 07-cv-226-SM

John E. Potter, Postmaster General,
United States Postal Service

O R D E R

Pro se plaintiff Jerusalem K. Monday alleges that his former employer, the United States Postal Service ("USPS"), engaged in acts of discrimination in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq. ("Title VII"), and 42 U.S.C. § 1981 ("Section 1981") (document no. 1). Plaintiff allegedly was wrongfully discharged because of his race and national origin. Named as the defendant is John E. Potter, Postmaster General of the USPS.

The complaint is before me for preliminary review to determine whether, among other things, it states a claim upon which relief may be granted. See 28 U.S.C. § 1915; U.S. District Court for the District of New Hampshire Local Rule ("LR") 4.3(d)(1)(B). For the reasons stated in the report and recommendation issued simultaneously herewith, I conclude that

plaintiff has alleged Title VII claims, premised upon race and national origin discrimination, against Potter. I recommend dismissal of all remaining claims.

Accordingly, I order that defendant be served with and respond to the complaint.

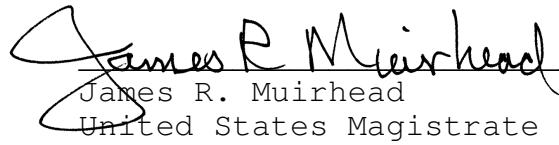
The Clerk's Office is directed to issue the necessary summons and forward to (i) the United States Attorney for the District of New Hampshire, (ii) the Attorney General of the United States and (iii) the USPS, by certified mail, return receipt requested, copies of the summons, this order, the report and recommendation and the complaint (document no. 1). See Fed. R. Civ. P. 4(c)(1) and 4(i)(1) and (2).

Defendant is instructed to answer or otherwise plead within sixty (60) days from service. See Fed. R. Civ. P. 12(a)(3)(A).

Plaintiff is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendant by delivering or mailing the materials to him or

his attorney, pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: October 29, 2007

cc: Jerusalem K. Monday, pro se